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FILED
October 14, 2011
CLERK, U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

0003834270

VINCENT A. GORSKI CHAPTER 7 TRUSTEE P.O. BOX 10360 BAKERSFIELD, CA 93389-0360 (661) 735-1895 GorskiTrustee@gmail.com

IN THE UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF CALIFORNIA

In re: Case No: 11-14370-WRL-7

OSSIO, NIEVES Chapter 7

Debtor(s).

MOTION FOR AUTHORITY TO SELL ESTATE'S INTEREST IN REAL PROPERTY TO DEBTOR

DCN: VG-002

DATE: 12/01/2011

TIME: 10:00 A.M.

PLACE: 1300 18TH STREET, SUITE A

BAKERSIELD, CA

Honorable W. RICHARD LEE

Vincent A. Gorski, Chapter 7 Trustee (the "Trustee") of the estate of Nieves Ossio, NIEVES (the "Debtor(s)"), respectfully moves the Court for an order authorizing the sale of the bankruptcy estate's interest in certain real property commonly described as 1907 Countrymen's Court #13, Charlotte, North Carolina 28210 (the "Real Property"). The Trustee seeks to sell the bankruptcy estate's interest in the Real Property on the following grounds:

BACKGROUND

1. The Debtor(s) filed a Voluntary Petition for relief under Chapter 7 of Title 11 of The United States Code (the "Bankruptcy Code") in the United States Bankruptcy Court for the Eastern District of California, Fresno Division on April 15, 2011. The Trustee was appointed interim trustee on April 15, 2011 and became the case trustee following the first meeting of creditors convened on June 13, 2011 pursuant to Bankruptcy Code Section 702(d).

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JURISDICTION AND VENUE

- This Court has jurisdiction over the issues raised in this matter pursuant to
 Sections 1334 and 157 of Title 28 of the United States Code and the general order of reference.
- 3. This is a core proceeding pursuant to Sections 157(b)(2)(A) and (N) of Title 28 of the United States Code.
- 4. Venue is proper pursuant to Section 1409(a) of Title 28 of the United States Code by virtue of this case pending before this Court.
- 5. This Motion is made pursuant to Sections 363(b), (d) and (f) of the Bankruptcy Code.

FACTUAL BACKGROUND/TERMS OF SALE

- 6. The Trustee accepted the Debtor(s)' offer of \$5,597.75 for the bankruptcy estate's interest in the Real Property.
- 7. The Trustee consulted with three realtors in the Charlotte North Carolina area who advised him that the Real Property is worth approximately \$30,000.00. Each realtor provided a different estimated time on market ranging from four to nine months.
- 8. The estate's interest in the Real Property after accounting for the Debtor(s) exemptions is \$5,597.75.
- 9. The Trustee considered the cost to take possession of and securing the Real Property, the costs associated with hiring a realtor and other professionals to sell the Real Property and the risk of receiving a lesser amount, in determining that the Debtor(s)' offer is fair.
 - 10. The Trustee is in possession of a the full amount of Debtor's offer, \$5,597.75.
 - 11. The Trustee believes that the proposed sale is in the best interest of the estate.

WHEREFORE, the Trustee respectfully petitions the Court for an order: (1) authorizing him to sell the above described Real Property to Nieves Ossio for \$5,597.75; (2) authorizing him to execute all necessary documents required to complete the sale of the Real Property to the Debtor(s); and (3) granting the Trustee and the bankruptcy estate all other just and proper relief.

Date: October 13, 2011

/s/ Vincent A. Gorski
Vincent A. Gorski
Chapter 7 Trustee